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 <p>12740 San Fernando Rd. Sylmar, CA 91342</p>	<p align="center">FAX TRANSMITTAL</p> <p>To: US Patent & Trademark Office Examiner Joseph S. Machuga, Art Unit 3762, phone (703) 305-6184</p> <p>Fax: (703) 872-9306</p> <p>From: Laura Haburay Bishop phone (661) 362-1906 fax (661) 362-1507</p> <p>Date: August 17, 2004</p> <p>Pages: Eleven (11), Including Cover Page</p> <p>Re: Amendment Under 37 CFR 1.116 for S/N 09/929,597, filed 08/13/2001 (August 13, 2001); Attorney Docket No.: AB-126U</p>	<p align="center">Certificate of Transmission</p> <p>I hereby certify this correspondence, including the papers listed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306</p> <p>on this date: <u>August 17, 2004</u></p> <p>Typed Name: <u>Karyn M. Murray</u></p> <p>Signature: </p> <p>Date: <u>2004 Aug 17</u></p>
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MESSAGE:

Please find attached:

- Amendment Transmittal Letter, including authorization to charge \$110 to Deposit Account (1 page); and
- Amendment Under 37 CFR 1.116, responding to a final Office Action mailed April 19, 2004, for Application Serial Number 09/929,597 (9 pages).

Thank you.

☒ Please Acknowledge Receipt of This Communication.

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AMENDMENT TRANSMITTAL LETTER				Attorney Docket No: AB-126U						
Application Serial Number: 09/929,597		Filing Date: 8/13/2001		Examiner: Joseph S. Machuga		Group Art Unit: 3762				
Title: Fully Implantable Microstimulator for Spinal Cord Stimulation as a Therapy for Chronic Pain										
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.										
CLAIMS AS AMENDED										
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE				
TOTAL CLAIMS	21	MINUS	24	0	\$18	\$0				
INDEP. CLAIMS	3	MINUS	3	0	\$84	\$0				
<u>X</u> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>4/19/2004</u> to and through <u>8/17/2004</u> , comprising an extension of the shortened statutory period of: <table><tr><td><u>X</u> one month (\$110)</td><td>three months (\$930)</td></tr><tr><td>two months (\$410)</td><td>four months (\$1,450)</td></tr></table>							<u>X</u> one month (\$110)	three months (\$930)	two months (\$410)	four months (\$1,450)
<u>X</u> one month (\$110)	three months (\$930)									
two months (\$410)	four months (\$1,450)									
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT										
<u>X</u> Charge \$ <u>110.00</u> to Deposit Account <u>50-0648</u> . <table><tr><td><u>2004 Aug 17</u> Date</td><td><u>Laura Haburay Bishop</u> Reg. No. 47424</td></tr></table> I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (703) 872-9306 on <u>August 17, 2004</u> . <u>Karyn M. Murray</u> Karyn M. Murray							<u>2004 Aug 17</u> Date	<u>Laura Haburay Bishop</u> Reg. No. 47424		
<u>2004 Aug 17</u> Date	<u>Laura Haburay Bishop</u> Reg. No. 47424									

OFFICIAL

Docket No.: AB-126U

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Appl. No.: 09/929,597
Conf. No.: 9184

Applicants: Whitehurst, et al.
Filed: August 13, 2001
TC/A.U.: 3762
Examiner: Joseph S. Machuga

Title: Fully Implantable Microstimulator for
Spinal Cord Stimulation as a Therapy for
Chronic Pain

Docket No.: AB-126U
Customer No.: 23845

Certificate of Transmission or Transmission
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, or is being facsimile transmitted to the U.S. Patent and Trademark Office, on this date: August 17, 2004

Typed Name: Karyn M. MurraySignature: [Handwritten Signature]Date: 2004 Aug 17

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL
EXPEDITED HANDLING REQUESTED****Amendment Under 37 CFR 1.116**

Dear Examiner:

This amendment responds to the final Office action mailed April 19, 2004 (Paper #7) for the above-identified application, in which claims 1, 3, 7-18 and 21-24 were rejected. An extension fee for response within the first month is being submitted concurrently herewith.

By way of the present amendment, claims 1, 2, 17, 19 and 20 have been amended. Twenty one (21) claims remain pending in the application, claims 1-3 and 7-24, of which claims 1, 17 and 20 are independent. Applicants submit that this Amendment places the claims in condition for allowance and/or in better form for consideration on appeal. It is earnestly requested that this Amendment be considered and entered.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Application Number 09/929,597
Amendment dated August 17, 2004
Reply to Office Action mailed April 19, 2004

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